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GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
MARINE RESOURCES LABORATORY
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PATRICK C. KELIHER
COMMISSIONER

MEMORANDUM OF AGREEMENT

Memorandum made this _____(DATE), by and
between _____(LEASE SITE HOLDER/WET STORAGE
PERMIT HOLDER) and the Maine Department of Marine Resources, Bureau of Public Health (“DMR”).
Water samples will be collected weekly beginning May 1st and shellfish samples every week and up to
two times a week from lease/wet storage site _____(LEASE
/WET STORAGE SITE) during all regional biotoxin closures May through September or throughout the
year for scallop at the DMR’s discretion. The following species may be collected at this offshore permit
site: _____(SPECIES). These samples will be
used by the DMR for regulatory management purposes. Samples may be analyzed for paralytic shellfish
toxins PSTs, for amnesiac shellfish toxins ASTs, for diuretic shellfish toxins DSTs or other lipophilic
toxins on request by DMR. At least 15 live animals of market size will constitute a sample and up to four
samples may be requested from the following
location(s) _____(LAT/LONG OF SITE) for each collection effort.

INSERT LEASE/WET STORAGE SITE MAP

The purpose of this agreement is to allow targeted sample collection from commercially important sites during the regional biotoxin closure period May – September and also applies throughout the year for whole and roe-on scallop aquaculture. Based on this agreement, samples must be collected weekly or as often as every three days from this site by permit holders or those employed by permit holders to allow harvest. If this site is closed due to biotoxins, two samples below regulatory limits seven days apart are required to re-open for harvest. It is the responsibility of the lease/wet storage site permit holder to notify local marine patrol of sample collection activity when samples are collected in an exception area that is closed to harvest.

Site permit holders or those employed by the permit holders will be required to follow sample collection protocols to ensure all quality control measures have been met for sample collection and transport. All samples will be picked up by DMR staff or left in a refrigerator at

_____ (DROP LOCATION), a DMR designated sample drop location.

Sample collection frequency will be based on an established area and species and will adapt with increases in toxicity at the DMR's discretion. Harvesting of shellfish may continue at this lease/wet storage site as long as samples are collected and delivered in accordance with the requirements of this agreement and unless test results show the presence of biotoxins that, in the sole determination of the DMR biotoxin program, indicate that quarantine is necessary. Aquaculture samples that require daily/lot testing during the biotoxin season or any scallop samples will be paid for by industry and results reported to DMR by an FDA approved biotoxin laboratory. This agreement shall be in effect yearly as determined by the DMR, or the site is no longer active and will be renewed annually.

By: _____

Aquaculture Lease/Wet Storage Permit Holder

By: _____

J. Kohl Kanwit, Director, Bureau Public Health

cc: Marine Patrol

USFDA